

In the United States District Court  
Southern District of Texas  
Houston Division

Taiz L. Trinidad Bustamante,  
Victor Manuel Gomez Mercado,  
and Yunier Duliet Elias

*Plaintiffs,*  
v.  
Civil Action No. 4:22-cv-2993

David Camera-Garcia, AI Logistics,  
LLC, and USMEX Trucking, Inc.,

*Defendants.*

**Notice of Removal**

**I. Introduction**

1. This lawsuit arises from a motor vehicle collision that occurred in Colorado County, Texas.

2. On June 24, 2022, Plaintiffs filed suit in the 25<sup>th</sup> District Court of Colorado County, Texas against David Camera-Garcia (“Camera-Garcia”), AI Logistics, LLC (“AI Logistics”), and USMEX Trucking, Inc. (“USMEX”).

3. As shown below, (a) the amount in controversy exceeds \$75,000 and (b) the parties are completely diverse. Therefore, AI Logistics exercises its right to remove this case to federal court.

**II. The Parties**

4. Plaintiffs, all individuals, are citizens of the State of Texas for diversity purposes.

5. Defendant AI Logistics is a limited liability company. Its sole member is an individual who resides in the State of California. Therefore, AI Logistics is a citizen of California for diversity purposes.

6. Defendant Camera-Garcia is an individual who resides in Tijuana, Mexico. Therefore, Camera-Garcia a citizen of Mexico for diversity purposes.

7. Defendant USMEX is a California corporation with its principal place of business located in California. Therefore, USMEX is a citizen of California for diversity purposes.

### **III. Basis for Removal**

#### **A. Amount in Controversy**

8. Plaintiffs seek monetary relief over One Million Dollars. *See* Pl.'s Orig. Pet. § XIII. Therefore, the amount-in-controversy requirement for removal is satisfied.

#### **B. Complete Diversity of Citizenship Exists between Plaintiffs and Defendants.**

9. As noted above, Plaintiffs are all citizens of Texas, Defendants AI Logistics and USMEX are citizens of California, and Defendant Camera-Garcia is a citizen of Mexico. Thus, there is complete diversity of citizenship between the parties. Additionally, USMEX is an improperly joined defendant.

### **IV. Venue and Timing**

10. Venue is proper under 28 U.S.C. § 1441(a) because the state court where the action has been pending is located in this District and Division.

11. This removal is timely because it is filed within 30 days of Defendant AI Logistics being served with the lawsuit, and within one year of the commencement of the action.

**V. Consent Not Required**

12. Upon information and belief, USMEX and Camera-Garcia have not yet been served, so their consent is not required for removal.<sup>1</sup> Moreover, USMEX is an improperly joined defendant. USMEX is merely the company from whom AI Logistics leased the trailer. It had no involvement with the incident, and Plaintiffs not have alleged sufficient facts in their Petition to state a claim for relief against USMEX.

**VI. Attachments and Notice to State Court**

13. All documents required under the removal statute and the Court's local rules are attached. Defendant AI Logistics will promptly file a copy of this Notice of Removal and its attachments with the clerk of the state court.

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<sup>1</sup> Alternatively, the undersigned counsel also represents Camera-Garcia, and so to the extent it is necessary, and if Plaintiffs contend and can prove that he has been properly served, Camera-Garcia also consents to removal.

Respectfully submitted,

By: /s/ Tarush R. Anand

Tarush R. Anand  
Texas Bar No. 24055103  
S.D. Tex. Bar No. 712010  
tanand@mcglinchey.com  
McGlinchey Stafford, PLLC  
1001 McKinney, Suite 1500  
Houston, Texas 77002  
Phone: (713) 520-1900  
Fax: (713) 520-1025

**Attorney in Charge for Defendant  
AI Logistics, LLC**

Of Counsel:

Taylor M. Watts  
Texas Bar No. 24108369  
S.D. Tex. Bar No. 3756389  
twatts@mcglinchey.com

**Certificate of Service**

I certify that a true and correct copy of this document, together with any exhibits or attachments, is being served on all parties on September 2, 2022 in accordance with the Federal Rules of Civil Procedure.

/s/ Tarush R. Anand  
Tarush R. Anand